

FILED
BILLINGS, MT

2006 MAR 28 PM 1 45
IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

PATRICK E. DOYLE, CLERK

BY

BILLINGS DIVISION

DEPUTY CLERK

HENDERSON DUVAL HOUGHTON,

)

CV-05-141-BLG-RFC

)

Plaintiff,

)

vs.

)

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
U.S. MAGISTRATE JUDGE

MARCIA GOOD SEPT (Currently MARCIA
HURD),

)

)

)

Defendants.

)

)

On February 10, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends that Plaintiff's Complaint be dismissed with prejudice because it fails to state a claim on which relief may be granted.

Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). In this matter, Plaintiff filed what appear to be objections in the form of a "Motion for Reconsideration by U.S. Magistrate Judge," on March 7, 2006. Plaintiff's objections are not well taken.

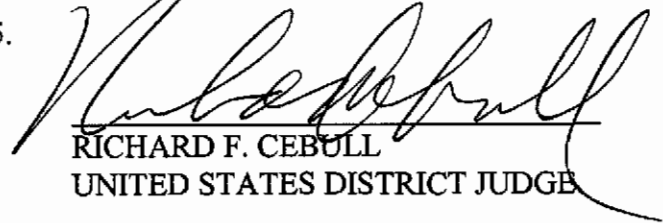
After a de novo review, the Court determines the Findings and Recommendation of Magistrate Judge Anderson are well grounded in law and fact. Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Complaint (Doc. # 1) is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that pursuant to 28 U.S.C. § 1915(g), the docket shall

reflect that the filing of this action counts as one strike against Plaintiff.

The Clerk of Court shall notify the parties of the making of this Order.

DATED this 28 day of March, 2005.


RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE